This is another story in a continuing series taken from the files of The British Colonist of almost a century ago, a newspaper founded by Amor de Cosmos and continuing to this day in uninterrupted publication. The articles are intended to open a door to the past, with the view of indicating the problems and events of those early colonial times.

PUNISHMENT DIDN'T FIT THE CRIME

PEOPLE WERE VERY much incensed in Victoria in April of 1860 when the housebreaker Francis Birney was sentenced to three years' imprisonment with hard labor. It does seem preposterous when the man's crime is considered, more particularly when it is remembered that the town was suffering from a veritable epidemic of burglary and violence.

There was a letter to The British Colonist in the matter. It found bitter fault with Judge David Cameron, but there is no record what action the learned gentleman took—if any. The fact of the matter was that he was not a particularly learned man. Indeed, he was not even trained in law. A brother-in-law of Governor James Douglas, it was freely intimated that he owed his appointment to influence. In any other position he would have been an asset to the colony, but as a judge he was frequently criticized.

This is what the letter to the editor, Amor de Cosmos, said:

"When people at a distance come to read the report of the court . . . what must they think in the matter of dealing out justice on Vancouver Island? Here on British soil, in a civilized and enlightened (?) community, a judge passes sentence of three years imprisonment for a crime of midnight burglary and robbery with two attempts at murder.

"A hardened villain enters at midnight the dwelling of a respected citizen, armed with the deadliest of weapons, and after robbing a guest of the family, goes to the bed-chamber of the gentleman's daughter, where, on awakening, she finds a Colt's revolver on her temple, and hears the wretch mutter: 'One word and I'll blow out your brains.'

"Then come screams, and in rushes the gentleman to be met and grappled with by the assassin at the door.

"Twice in the dark night he fires at his pursuer, with intent to kill. The brave man still holds the robber at his peril until succour arrives when, with great difficulty three strong men bind him and hand him over to the authorities.

"In what civilized land on earth would such a desperate character slip out from the meshes of the law without punishment? We have no safe place to keep prisoners as yet, and when one contemplates that so light an estimate is put on crime, what security can citizens feel in their life and property?"

The man who subdued the burglar, J. P. Pidwell, didn't have anything to say about the sentence. But the fact that within two weeks of the conviction, the same home was robbed again at gun point would support the argument that the sentence given Birney was inadequate.

* * *

THIS WAS THE YEAR Victoria merchants—most of them—decided on early closing. A number of them signed an agreement that they would, henceforth, close their doors at 8 p.m. Their names were published and the people of the town applauded the decision as a progressive step. But within days of the undertaking given, competing firms found excuses to remain open until 10 p.m. or later.

There was a letter in The British Colonist in this matter, also:

"My attention was drawn not long ago to . . . the fact that all the business houses with the exception of a few insignificant ones, had mutually agreed for the benefit of their employees . . . to close their stores at 8 p.m. At the same time a card (advertisement) appeared with numerous signatures attached. Since then I have been very much surprised to see that the very ones who first agitated the matter, whose names appeared glaringly at the head of the list . . . were the first to break their pledge. I would ask which action is to be deprecated most: that of the insignificant merchant who was unwilling to sign his name to the agreement, or those who, for the sake of seeing their names in print, perhaps, head a list and then turn wantonly around and break their parole of honor? For shame!

"I was not aware that a signature—particularly when made to the public through the medium of the press—had no more value attached to it than shown by the would-be aristocratic merchants who were the first to sign the agreement."

* * *

THERE WERE SOME extraordinary characters among the merchants, to be sure. In a town where liquor trade with the Indians was a flourishing business, in spite of the law, William Milotich refused the custom of a Negro.

The Negro, Jacob Francis, a man of considerable property, brought suit for damages.

It seemed that when Francis entered the store at the corner of Yates and Government streets—which, incidentally, was also a billiards parlor and saloon—Milotich refused to sell the colored man two bottles of champagne. Champagne, he intimated, was "too good for a nigger."

Francis was understandably a trifle put out.

The case went to a jury which found: 1. That the Milotich place was not an inn; 2. That the plaintiff was not a guest; 3. That no injury was received by the plaintiff by the refusal, and consequently no damages could be allowed.

EVERYBODY'S AFTER IT

By TED SHACKLEFORD

THE $20 gold piece produced for the British Columbia government in 1862 is one of the most sought after of any coins produced in the world.

And, together with the companion $10 gold piece produced at the same time, it is the subject of more fanciful fables than almost any other coin.

Allan Klenman, past president of Victoria Numismatic Society, has made a study of B.C.'s gold coins for many years and these notes come from the information he has compiled. Much of this information has not been published before.

It may be as well to clear up some of the fables first, with the correct information appended.

First of all, the coins were never issued to the public and were never used as coinage—Lord Bulwer-Lytton, then colonial secretary in London, England, decided that the right to issue gold coins in England or the colonies was England's alone, and stopped plans to issue the coins.

Secondly, the coins are not scarce because they contained gold worth more than the face value of the coins. Actually the coins were slightly heavier than United States coins of similar denominations, but they were made of impure B.C. gold which contained silver.

This is the most persistent fable—that the citizenry of B.C. snapped up all the coins they could find in circulation, melted them down and re-sold the gold to the government for a profit.

Only 14 of the $20 gold pieces were ever officially struck at the New Westminster assay office, and 24 of the $10 pieces. In addition there were some eight strikings of the coins in silver and a very few strikings on private gold, submitted by citizens of New Westminster, or visitors to the assay office.

The coins struck were considered Patterns for future coinage, only. From the very beginning they were considered as souvenirs only. Lord Bulwer-Lytton's intervention stopped the actual issue of coins which was planned.

Another fable, which received wide publicity recently, was that ex-King Farouk of Egypt had possession of the original dies and had had coins struck for his private collection.

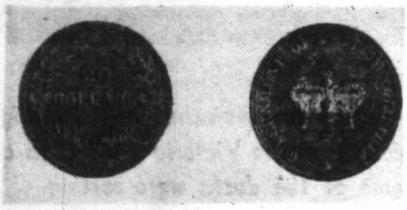
The lie was put to this in 1954 when Farouk's collection was sold. All coins were attested genuine, and all had been purchased from reputable London, England, dealers.

The project was one of Sir James Douglas, first governor of B.C. They were designed by Capt. William Driscoll Gossett, B.C.'s treasurer, and the original dies were engraved by an Austrian craftsman, Albert Kuner, in San Francisco.

Kuner's skill is perpetuated in a number of now-scarce gold coins produced in California during the gold rush years. He worked for such pioneer San Francisco assay companies as Baldwin and Co., Moffatt and Co., and Wass, Molitor and Co.

The Pattern dies, with the date 1862 cut into them, were sent to the government assay office at New Westminster and the Master dies were kept in San Francisco.

The Master dies, without the figure "2" cut into the date, were lodged with the British consulate in San Francisco for safekeeping and Kuner also carefully made wax impressions of the dies.



B.C. Gold Coin of 1862

The great fire of San Francisco in 1906 destroyed Kuner's wax impressions and the Master dies were sent to the Provincial Archives in Victoria, damaged and defaced.

The Pattern dies were put in charge of Francis G. Claudet, superintendent of the New Westminster assay office, and presumably remained there until 1873, when the assay office closed down. It was never a mint, as is popularly believed.

The Pattern dies disappeared and no further official trace of them can be found. The Master dies also disappeared from the archives, and their whereabouts are still unknown. However, defaced as they were, they couldn't be used to strike copies of the coins.

Sir James Douglas was frustrated completely in his attempts to establish a mint at New Westminster and produce gold coins for British Columbia.

John J. Pitman of Rochester, New York, owns a copy of the $20 gold piece, and has refused offers of $15,000 for it. Another, owned by a Canadian, Colin D. McQuarrie, was sold for an undisclosed price in 1950.

Copies of the $20 and $10 gold pieces and a copy of the silver striking from the $20 dies are kept in the Provincial Archives, in the Legislative Buildings.

They are kept securely locked away in a vault, but Willard Ireland, provincial archivist, will show them on request.

Almost all of the official strikings at the New Westminster assay office in 1862 can still be traced today, so the odds of finding copies of the coins tucked away in grandma's sewing basket are rather slim.

But good copies bring good prices—$15,000 for $20 is not too bad.

Future articles in this series will deal with a variety of coins; metals used in making coins, ranging from aluminum to platinum; how coins are produced from the original sketch to the finished article; a history of one of the world's most famous engravers, and other related subjects.